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**MAYOR AND COUNCIL
WORK SESSION/COUNCIL MEETING
BOROUGH HALL ANNEX
JUNE 19, 2006
7:30pm**

A Work Session of the Mayor and Council of the Borough of Leonia, Bergen County, New Jersey was held this evening in the Borough Hall Annex at 7:35 pm.

Council Present *Mayor Laurence Cherchi, Councilpersons Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo*

Council Absent

Council Present *Fran Lehmann, Borough Clerk, Brian Giblin Borough Attorney, Victoria Miragliotta, Borough Administrator*

Mayor Cherchi called the meeting to order.

Mayor Cherchi asked everyone to stand while Council President Puzzo led in the Pledge of Allegiance.

Mayor Cherchi pointed out the Fire Exit.

OPEN MEETING STATEMENT

Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin Board at Borough Hall and notice has been sent to the Official Newspaper.

Mayor Cherchi asked for a moment of silence for Ted Kessler. Mr. Kessler was a former member of the Planning Board.

PRESENTATIONS

Shade Tree Commission – Councilman Puzzo explained the reason for the Shade Tree Commission's coming to the meeting. Mr. Tucker introduced the members of the Shade Tree Commission present at the meeting; Gloria Arlak, Vanessa Marx, Jane Wilson, Peter Knott.

Mr. Tucker reviewed the procedures of the Shade Tree Commission. Councilman Hawkins inquired of the Commission how they decide what trees are planted each year. Mr. Tucker explained that a guide is printed by the State on trees for streets in New Jersey. Also from experience with various trees in Leonia the Commission knows which trees grow better than others. Councilman Hawkins questioned about overhead wires, if there was a plan for planting certain trees.

47 There is plan that the Commission is considering amending. Councilwoman
48 Mitrani inquired if there is a design plan for certain a street? Ms. Arlak stated she
49 wished there was a design plan for Grand Avenue and Broad Avenue. Numerous
50 trees are dying and they are getting old. Ms. Wilson explained the problems on
51 Grand Avenue. Councilwoman Mitrani feels that the canopy that used to be along
52 many of the streets in Leonia seems to be disappearing. Ms. Wilson explained that
53 when a tree is removed for whatever reason, the resident is sent a letter inquiring
54 if they would like a replacement many residents decline because of the sidewalk
55 issues and they don't want to clean up after the trees. Councilwoman Heveran
56 inquired who is responsible for trimming trees along Broad Avenue that are
57 blocking site lines when pulling out of a driveway? Mr. Tucker stated the
58 procedure is notifying Borough Hall, they will notify the Commission and it will
59 be evaluated and recommendations will be made to have them trimmed.
60

61 Councilman Raucci asked what the next step is for Grand Avenue? The Borough
62 Administrator explained the procedure from the State. Councilman Puzzo
63 suggested the maintenance of the trees planted by the Borough be sent to the
64 DPW Committee for action. Further discussion took place. Councilman Ryan felt
65 that no new trees should be planted as a major drainage project is scheduled for
66 Grand Avenue and the young trees would be damaged. Councilman Hawkins
67 feels that the Borough should not be plant trees unless they are pruned and
68 trimmed properly. Mayor Cherchi asked for the approval of the Council to direct
69 the DPW to maintain the trees planted by the Borough along Grand Ave. The
70 Mayor instructed the Borough Clerk to notify the DPW. Councilwoman Heveran
71 would like a survey of the trees that need to be removed. Councilman Puzzo
72 suggested supplying the information needed and perhaps increasing the DPW
73 budget in future to accommodate the maintenance of the trees. Councilman
74 Raucci inquired if the Shade Tree Commission, when planting a replacement tree,
75 ever moves from the right-of-way to the homeowner's property to plant the tree.
76 Mr. Tucker explained the procedure used by the Commission. Councilman Ryan
77 asked what measures are taken to make sure that trees receive adequate water in
78 the first two years after they are planted. Mr. Tucker explained a letter is given to
79 the homeowner requesting they water the tree. Councilman Ryan does not feel
80 this process works that well. Councilman Ryan asked what the plans for
81 replacement trees. Mr. Tucker explained that trees are replaced and along Broad
82 Avenue, the main reason for loss of a tree is the tree is hit by a car. A protective
83 device needs to be put around the trees when they are planted.
84

85 **Historic Preservation Designation Peterson House** – Councilman Raucci
86 deferred to the Borough Clerk who reported that an ad has been received for
87 publication regarding a public hearing on the appointment of the Peterson House.
88 Councilman Raucci asked the Borough Attorney what else was required at this
89 time. The Borough Attorney explained the procedure. The Borough Clerk read the
90 ad to the Governing Body. The only change was to ad the building number the
91 Annex, and checking the code book designation.
92

COMMENTS FROM THE PUBLIC

Vivian De Marco, 324 Magnolia Place - Mrs. De Marco spoke to the Council regarding the tree on the triangle. Mrs. De Marco does not feel the placing of tree in a pot on the triangle is a good option. Mrs. De Marco did not feel the Shade Tree Commission was capable of telling if a tree was dead. Mrs. De Marco thanked the Council for their support for replacing the tree on the triangle.

Chris LaBianco, 475 Park Avenue – Thanked the Governing Body for their support for the fireworks and the carnival the Sports Boosters is sponsoring. Mr. LaBianco thanked the Borough Hall staff for their assistance in getting the necessary paperwork done.

REPORTS

Standing Committees

Finance Administration & Personnel – Nothing to report

Laws & Ordinances – Nothing to report

Police – Making progress on cars being left running. Rest of report for closed session.

Fire – Nothing to report.

Ambulance Councilman Raucci questioned the generator. Public Works – Councilman Ryan - fortunately the summer help was able to start earlier and hire additional summer help the results are already being seen. Councilman Raucci reported that Sylvan Park the DPW is working very hard there. The Park is looking outstanding. Mayor Cherchi asked about the use of the park. Councilman Raucci explained who has been using the field.

Real Estate and Insurance – nothing to report at this time.

Borough Administrator – The Borough Administrator explained the bid for the generator at the Ambulance Corps. The Borough Administrator reported that a maintenance agreement was part of the bid for both the Ambulance Corps and the Police Department. The Borough Administrator will have the Borough Attorney review the bid. Mayor Cherchi asked if the bid included in the DPW. The Borough Administrator stated no, when we went out to bid no one bid on it they only bid on the Ambulance Corps. This will have to be project for next year as there is currently no money allocated for this year.

The Borough Administrator reported on a letter received from Dr. Josefsberg, Leonia Board of Education regarding the removal of trees on Board of Education Property. They also have a piece of equipment that we need for the maintenance of Sylvan Park. The Borough Administrator spoke to Dr. Josefsberg he will let the Town use the equipment as often as necessary over the summer if the Town agrees to remove the trees. The Board of Ed will sign a hold harmless which is recommended by the Borough's insurance company. The Borough Administrator stated that this will give us the time to purchase the equipment or see if another municipality is interested sharing the purchase of the equipment. This could be combined with the communications equipment through the BCIA.

Mayor – Mayor Cherchi reported on a meeting he attended the Mayors Breakfast sponsored by the Bergen County League of Municipalities. Councilwoman Mitrani inquired if the Mayors of Bergen County would be interested in Arbitration Reform. Mayor Cherchi said he would be happy to pass the information on to them.

Special Bodies of the Borough - no report

RESOLUTIONS

At this point in the meeting the Borough Clerk explained why there was no Resolution 06-171.

Council President Puzzo made a motion to approve Resolution 06-172, 174 through 180, seconded by Councilman Hawkins. Roll call vote; all in favor none opposed.

Resolution 06-173 - Mayor Cherchi questioned the Change Order for Sylvan Park and the need for a chain link fence around the park. Mayor Cherchi wanted to know why the money was not being used to finish the field house. Councilman Raucci explained this was not just to stop vehicles, but also cut off Meadowview from walking their pets in the park and others from doing the same. The field has been vandalized already. The current fence is falling down. This a \$350,000 investment made by the town. The Borough Administrator explained that this should be bid because it is over the bid threshold. The Borough Attorney is not sure if this needs to be bid because the fence is not in excess of the original contract amount. Council President Puzzo explained that the Sports Boosters are having fundraisers to raise funds for the field house. Councilman Ryan expressed concern about involving another contractor and having something go wrong or damaged and then the Borough is chasing them for payment. Councilwoman Mitrani inquired if the Borough could just obtain quotes or go out for bid on the fence? The Borough Attorney stated unless the quote is under \$17,500 by law it must be bid. The Borough Attorney is not sure the fence can be done as a change

order as it was not a part of the original proposal even though it is the same contractor installing the fence. Councilman Hawkins suggested the Resolution be approved contingent upon the Borough Attorney finding out if the Change Order can be approved or if it needs to be bid. Councilman Hawkins made a motion to approve Resolution 06-173 contingent upon the Borough Attorney's researching if it can be legally done as a change order, seconded by Council President Puzzo. All in favor none opposed

ADOPTION OF ORDINANCE

Adoption of Ordinance 04-06 entitled;

AN ORDINANCE AMENDING ORDINANCE NO. 290-9B TITLED "SUBDIVISION OF EXISTING LOTS" AND REGULATING LAND USE WITHIN THE BOROUGH OF LEONIA (public hearing)

Borough Clerk read the Ordinance by Titled Public Hearing –

Louise Galeshaw - 569 - Broad Avenue inquired if a specific word should be changed per Mr. Toronto's suggestion? Mayor Cherchi stated that Mr. Toronto did not recommend the change to the Planning Board. This ordinance was prepared and approved by the Planning Board. Council President Puzzo explained to Mrs. Galeshaw that the Governing Body agreed to introduce and adopt the Ordinance. If at some point the Borough needed to make a significant change than the Ordinance could be amended to include the necessary change. Council Ryan also noted that the Governing Body was not sure that if that word was changed it would be defensible in court.

A motion was made by Councilperson Puzzo seconded by Councilperson Hawkins to Adopt on final reading Ordinance 04-06

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. Ordinance Adopted.

Adoption of Ordinance 05-06 entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 194-48 TITLED "STOP INTERSECTIONS" AND REGULATING CERTAIN INTERSECTIONS WITHIN THE BOROUGH (public hearing)

Borough Clerk read the Ordinance by Title Public Hearing – No one spoke

A motion was made by Councilperson Hawkins seconded by Councilperson Puzzo to Adopt on final reading Ordinance 05-06 Mayor Cherchi noted that there was conversations regarding having the Borough Engineer sign off to have the Ordinance approved by the State. There were conflicting views on enforcement.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. Ordinance adopted.

Adoption of Ordinance 06-06 entitled:

ORDINANCE OF THE BOROUGH OF LEONIA, COUNTY OF BERGEN, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 247, “STREETS, SIDEWALKS,” ARTICLE IV “STREET OPENINGS AND EXCAVATIONS.” (Public hearing)

A motion was made by Councilperson Puzzo seconded by Councilperson Mitrani to Adopt on final reading Ordinance 06-06

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. Ordinance adopted.

INTRODUCTION OF ORDINANCES

Introduction of Ordinance 08-06 entitled:

AN ORDINANCE TO AMEND CHAPTER 236 OF THE CODE OF THE BOROUGH OF LEONIA ENTITLED “SITE PLAN REVIEW”

Councilperson Heveran made a motion approve on first reading Ordinance 08-06, seconded by Councilperson Raucci.

Councilwoman Mitrani feels that section f does not address the colors of the awnings. “Suggested awnings should be dark red, dark blue, dark green or maroon.” Councilwoman Mitrani stated we are trying to address the appearance of the downtown and this ordinance as written doesn’t.

Mayor Cherchi suggested if you would like to have this included in the Ordinance the Council can have an Ordinance prepared that states that and present it to the Planning Board.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. Ordinance introduced

Introduction of Ordinance 09-06 entitled:

AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING THE DESIGN, LOCATION AND PLACEMENT OF SIGNS AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

Councilperson Hawkins made a motion approve on first reading Ordinance 09-06, seconded by Councilperson Puzzo.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. All in favor none opposed Ordinance introduced.

Introduction of Ordinance 10-06 entitled:

AN ORDINANCE TO AMEND CHAPTER 290 OF THE CODE OF THE BOROUGH OF LEONIA ENTITLED “ZONING”

Councilperson Puzzo made a motion approve on first reading Ordinance 10-06, seconded by Councilperson Heveran.

Councilwoman Mitrani does not feel that the Governing Body should limit the type or the space between businesses.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Puzzo voted yes. Councilman Ryan voted no. Ordinance introduced.

Introduction of Ordinance 11-06 entitled:

AN ORDINANCE TO FIX OR REPORT SALARIES, WAGES OR COMPENSATION TO AND TO ESTABLISH SALARY & WAGE RANGES OF CERTAIN OFFICERS, EMPLOYEES AND PUBLIC SERVANTS OF THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR BEGINNING AND RETROACTIVE TO JANUARY 1, 2006

Mayor Cherchi questioned Section 1. The Borough Attorney said the paragraph could be eliminated without affecting the Ordinance. The paragraph will be deleted

Councilperson Heveran made a motion approve on first reading Ordinance 11-06, as amended seconded by Councilperson Mitrani.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. All in favor none opposed Ordinance 11-06 introduced.

UNFINISHED BUSINESS

a.) Tree for the Triangle (Councilwoman Heveran) – Councilwoman Heveran referred to a handout from Councilman Hawkins. Councilwoman Heveran deferred to Councilman Hawkins to explain the proposal. Councilman Hawkins reviewed the proposal. The Council discussed the process for purchasing the tree. Councilwoman Heveran noted that there are people who interested in donating for the purchase of a tree.

Councilman Raucci will check with a few people and obtain quotes from them.

b.)Cobblestone Street Restoration at Triangle and New Electric to Tree (Mayor Cherchi) - Mayor Cherchi reminded everyone of an issue that was faced a few years ago when the tree lights kept blowing fuses. The Council discussed going forward with restoring the cobblestones and trolley track in the area around the triangle. At the time the cobblestones would be restored it was suggested that the electricity at the triangle be upgraded. If the Council decides to put a clock on the triangle electricity will be needed to run the clock. Council would like to see a proposal for relaying the cobblestones and trolley track and a separate proposal for running the electric. The Borough Clerk will contact the engineer and ask for a proposal.

c.) Clock on Triangle (Councilwoman Mitrani) Councilwoman Mitrani would like to know what the Council would like to do about the clock. Councilman Ryan stated the issue was to see if the clock could be purchased for under \$17,500. The Borough Administrator explained that the company that makes the clock could not accommodate that price. It will need to be bid. The Governing Body discussed various ideas for the triangle. After much discussion it was decided to wait and see if the pending grant application is approved.

d.) Patterned Concrete for Fort Lee Road Intersection (Councilman Hawkins)
Councilman Hawkins will discuss this with the Borough Engineer.

NEW BUSINESS

a.) Tree Removal on Board of Education Property (Mayor Cherchi
Councilman Hawkins made a motion, seconded by Council President Puzzo to work with the Board of Education to remove the trees and use their equipment for Sylvan Park. All in favor none opposed.

CORRESPONDENCE

The Council discussed the letter from Ann Brown regarding the paving of Broad Avenue in the area of Lakeview Park and replacing sidewalks near the park. in the area of Lakeview Park and replacing sidewalks near the park.

COMMENTS FROM THE PUBLIC

None

CLOSED SESSION (Resolution J)

A motion was made by Councilperson Puzzo to go into Closed Session, seconded by Councilperson Heveran. All in favor none opposed.

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A motion was made by Councilman Puzzo to adjourn the Closed Session meeting and Re-Open the Council Meeting to approve Resolution 06-182, seconded by Councilwoman Heveran all in favor none opposed.

Resolution 06-182 – Councilman Puzzo seconded by Councilwoman Heveran to approve Resolution 06 182. Roll call vote; Councilperson Hawkins, Heveran, Raucci and Puzzo voted yes, Councilperson Mitrani and Ryan voted no. Resolution 06-182 approved.

A motion was made by Councilperson Puzzo to adjourn seconded by Councilperson Hawkins. All in favor none opposed.

There being no further business of the before the Council the meeting was adjourned at 10:30pm.

Respectfully submitted,

Frances Lehmann
Borough Clerk